



TO: **W-2 Agencies**  
**RSS-funded Agencies**  
**RMS-administering Clinics**

FROM: Bojana Zorić Martinez, Director  
Bureau of Refugee Programs  
Division of Family and Economic Security  
Department of Children and Families

**SUBJECT: COVID-19 Office of Refugee Resettlement Waiver Extensions**

BRP OPERATIONS MEMO			
No:	21-05		
DATE:	01/04/2022		
RCA	<input checked="" type="checkbox"/>	RHP	<input checked="" type="checkbox"/>
RMA	<input checked="" type="checkbox"/>	RMS	<input checked="" type="checkbox"/>
RSI	<input checked="" type="checkbox"/>	RSS	<input checked="" type="checkbox"/>
RYM	<input checked="" type="checkbox"/>	SOR	<input checked="" type="checkbox"/>
W-2	<input type="checkbox"/>	WFTCP	<input type="checkbox"/>

**CROSS REFERENCE:** [BRP Operations Memo 20-11](#)  
[ORR Policy Letter 20-06](#)  
[ORR Policy Letter 21-01](#)  
[ORR Policy Letter 21-05](#)  
[ORR Policy Letter 21-08](#)  
[ORR Policy Letter 22-05](#)

**EFFECTIVE DATE:** October 1, 2021

**PURPOSE:**

The purpose of this memo is to communicate the most recent stage of information pertaining to policies that have been adjusted to allow for additional flexibility throughout the COVID-19 pandemic. The purpose of this memo is to communicate the changes to previously allowed flexibilities, including the impact of these changes on documentation requirements.

**BACKGROUND:**

[BRP Operations Memo 20-11](#) communicated to agencies that on September 30, 2021, policy waivers granted by the Office of Refugee Resettlement (ORR) would expire. These waivers gave the Department of Children and Families (DCF) and its contracted refugee programs' agencies the necessary flexibility to continue to respond to the spread of COVID-19, and its impact on ORR-eligible populations. On September 30, 2021, ORR published [Policy Letter 21-08](#), which communicated the expiration of some waivers, while describing the terms of extending others. On October 25, 2021, ORR published [ORR Policy Letter 22-05](#), which communicated ongoing flexibilities in the use of ORR

funds during emergencies and disasters. The pertinent details of each expiration, extension, and flexibility described in those policy letters are described below.

## **WAIVERS**

### **1. Eligibility Determinations for ORR Benefits and Services**

Contracted agencies must continue to ensure that ORR-eligible populations have the opportunity to apply for cash assistance, and that eligibility determinations for cash assistance are made. The requirement to provide written declaration of immigration status upon application continues to be waived; eligibility may continue to be determined over the phone, though a verbal declaration must be supported with a subsequent written declaration as soon as possible. This waiver will remain in place until September 30, 2022.

### **2. Refugee Cash Assistance (RCA) and Conditions for Receipt of RCA**

[Policy Letter 20-06](#), [Policy Letter 21-01](#) and [Policy Letter 21-05](#) extended the 8-month RCA eligibility period for those who became and continued to be eligible by April 1, 2019. This extension expired on September 30, 2021; therefore, the 8-month eligibility period applies to anyone who became eligible for RCA on or after February 1, 2021.

Certain income disregards continue to apply. ORR-eligible populations impacted by COVID-19 may receive various forms of emergency cash assistance from federal, state, and local governments, and non-profit organizations. When conducting an income/asset analysis for an applicant impacted by COVID-19, certain forms of COVID-19 emergency assistance should be disregarded, while unemployment insurance or COVID-19 pandemic unemployment assistance should not. This waiver will remain in place until September 30, 2022.

Interim RCA payments may continue to be issued to applicants who are unable to determine eligibility for Temporary Assistance for Needy Families (TANF) due to COVID-related delays in Social Security Administration (SSA) applications. Prior to issuing an interim RCA payment, recipients must acknowledge that if he or she is subsequently approved for TANF and receives a retroactive TANF payment, the state must recoup RCA payments issued to the client to ensure that there is no dual receipt of federal assistance. This waiver will remain in place until September 30, 2022.

RCA recipients should be enrolled in and referred for employment services and may access these services virtually where virtual services are available; however, if such virtual services are not provided or accessible to a recipient, the requirement to be referred to employment services continues to be waived. This waiver will remain in place until September 30, 2022.

### **3. Refugee Medical Assistance Eligibility Period**

[Policy Letter 20-06](#), [Policy Letter 21-01](#) and [Policy Letter 21-05](#) extended the 8-month RMA eligibility period for those who became and continued to be eligible by April 1, 2019. This extension expired on September 30, 2021; therefore, the 8-month eligibility period applies to anyone who became eligible for RMA on or after February 1, 2021.

If an RMA application is pending due to Social Security Administration (SSA) office closures and/or restrictions (e.g., the online SSA system will not process certain social security applications and in-person appointments are limited) or other COVID-related delays, ORR will allow enrollment into RMA where an agency can document that a client's enrollment has been impacted by the pandemic. States should ensure that RMA is discontinued if a client is subsequently approved for Medicaid prior to the expiration of RMA eligibility. This waiver will remain in place until September 30, 2022.

#### **4. Refugee Medical Screenings**

[Policy Letter 20-06](#) and [Policy Letter 21-01](#) waived the 90-day requirement for Refugee Medical Screenings and allows the provision of medical screenings without prior determination of eligibility for Medicaid, CHIP, or RMA beyond the 90 days after a refugee's initial date of entry. This waiver has been extended by [Policy Letter 21-08](#) and is in place through September 30, 2022.

#### **5. Refugee Support Services Extended Eligibility Period**

[Policy Letter 20-06](#), [Policy Letter 21-01](#) and [Policy Letter 21-05](#) waived the 60-month eligibility period of RSS and RSS Set-Aside programs for the provision of support services to those in extreme circumstances (e.g., a client who risks eviction, a client who is unable to pay for heating during frigid winter months). This waiver expired on September 30, 2021. On October 25, 2021, ORR published [ORR Policy Letter 22-05](#), which offered states an ongoing way to request a similar waiver during emergencies and disasters. In extreme circumstances, contracted RSS and RSS Set-Aside agencies may submit specific requests to BRP to serve otherwise eligible individuals who are outside of the 60-month eligibility period. Such requests must be submitted to BRP on a case-by-case basis in writing before services or benefits are delivered, and must include: confirmation that the individual has already applied for all other support services and emergency assistance available to them at the time; a description of the extreme circumstances; the impact to the ORR-eligible individual(s); the agency's use or intended use and projected amount of RSS funds in response, and the agency's anticipated end date for using RSS funds for this purpose.

#### **6. Vaccinations**

RMA may pay for vaccinations during the refugee's first year in the United States, as long as the refugee's medical screening is completed within the refugee's first

8 months in the United States. RMA funds may be used to provide vaccinations for ORR-eligible clients who became eligible for benefits, including medical screening services, on or after April 1, 2019, with the additional months after their 1-year mark not extending beyond September 30, 2022. Within these parameters, RMA funds may be utilized for vaccinations regardless of when the clients received their refugee medical screening, as long as the vaccines are not covered by another federally funded program in which the client is enrolled (e.g., Medicaid).

In addition, RMA may be used to cover the cost of vaccinations for COVID-19, if it is not covered by another federally funded program.

### ***CARES WORKER WEB (CWW)***

For any eligibility or program requirement exceptions granted by these extended waivers, whether before or after October 1, 2021, agencies should continue to utilize case comments to document the reason for the exception.

### ***REPORTS***

For any eligibility or program requirement exceptions granted by these extended waivers, agencies should continue to utilize comments sections in reports submitted to DCF for federal reporting purposes in order to document the reason for the exception.

### ***TRAINING***

No additional training will be required; agencies are encouraged to reach out to their DCF contacts in the Bureau of Refugee Programs (BRP) for guidance.

### ***AGENCY ACTION***

Agencies must ensure that program applicants and participants are informed of expiring extensions to eligibility periods and waived program requirements. When enrolling and serving participants, agencies should discuss the finite time period during which these waivers are in effect.

### ***CONTACTS***

Questions regarding these waivers should be directed to the BRP:

Ben York (Refugee Programs Section Manager): [benjamin.york@wisconsin.gov](mailto:benjamin.york@wisconsin.gov)

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DCF/DFES/BRP/RPS/RD